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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,506	07/16/2003	Shinichi Hara	00684.002810.1	7507
5514	7590	06/06/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			WACHTEL, ALEXIS A	
			ART UNIT	PAPER NUMBER
			1764	
DATE MAILED: 06/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

10/619,506

Applicant(s)

HARA ET AL.

Examiner

Alexis Wachtel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 60-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 60-64 is/are allowed.
- 6) ☒ Claim(s) 65-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7-16-03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Detailed Action***

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 65-72 are rejected under 35 U.S.C. 102(a) as being anticipated by US 5,871,587 to Hasegawa et al.

With respect to claim 65, Hasegawa et al teach a processing apparatus comprising: a chamber (1); an exhaust gas line (6), connected with said chamber, for exhausting a gas from said chamber; a gas supply line (9) connected with said chamber, for supplying an ambient gas having a first pressure into said chamber; and a high pressure gas supply line (9), connected with said chamber, for supplying an ambient gas having a second pressure higher than the first pressure into said chamber. Examiner notes that attenuation of throughput of gas by attenuation of valve (8a) renders supply line 8 capable of functioning at a higher pressure than line 9.

With respect to claim 66, Hasegawa et al teach a pressure control device (6c) for maintaining a pressure in said chamber at a substantially constant level.

With respect to claims 67 and 68, Hasegawa et al teach that an exhaust gas line is connected with said high pressure gas supply line (See Fig.1). Examiner notes that exhaust line 6 is indirectly attached to high pressure line (8).

With respect to claim 69, Hasegawa et al teach that the ambient gas is helium gas (Col 1, lines 38-40).

With respect to claims 70 and 71, Hasegawa et al teach that a substrate is exposed to light in said chamber and that the light is x-ray (Col 4, lines 40-57)

With respect to claim 72, Hasegawa et al teach a device manufacturing method comprising: a step of exposing a substrate to light and a step of developing the substrate having been exposed to the light by said exposing step (Col 4, lines 40-63).

***Allowable Subject Matter***

3. The following is a statement of reasons for the indication of allowable subject matter: With respect to claim 60, the closest prior art US 5,871,587 to Hasegawa et al teach a processing apparatus comprising: a chamber (1) accommodating a processing portion; an exhaust gas line (6), connected to said chamber, for exhausting ambient gas in said chamber; a vacuum pump (6a), connected to said exhaust gas line, for compressing the ambient gas; a supply line (7,9) for supplying the compressed ambient gas into said chamber; and a high pressure gas supply line (8) branched out of said supply line.

Hasegawa et al do not teach a compressor, provided in said high pressure gas supply line, for further compressing the ambient gas compressed by said vacuum pump. In particular, nothing within the four corners of the Hasegawa et al reference remotely suggests that the high pressure supply line could benefit from a compressor as claimed. A compressor (7a) is provided for reservoir (7b) which would inherently render line (8) to

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output high pressure ambient gas relative to supply line (9) by selective attenuation of valve (8a). Claims 61-64 are allowable for depending on claim 60.

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Wachtel whose telephone number is 571-272-1455. The examiner can normally be reached on 10:30am to 6:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glenn Caldarola, can be reached at (571)-272-1444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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